IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 12305 of 2007(M)

PETITIONER:

JIJESH BABU, S/O.BABU P.C., AGED 30
PARAPPATTIL HOUSE, PERUMPILLY P.O.,
MULANTHURUTHY, ERNAKULAM.

BY ADV. SRI.S.SREEKUMAR

RESPONDENT:

THE MARRIAGE OFFICER/SUB REGISTRAR,
OFFICE OF THE SUB REGISTRAR,
MULAMTHURUTHY SUB REGISTRY
MULANTHURUTHY, ERNAKULAM DIST.

BY GOVERNMENT PLEADER SRI. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.12305 OF 2007

DATED THIS THE 10th DAY OF APRIL, 2007

JUDGMENT

The petitioner proposes to get married on 12.04.2007. He also wants to get his marriage registered under the Special Marriage Act, 1954. Notice as provided under the Special Marriage Act has already been issued and the notice period is also over. The claim of the petitioner in this writ petition is that the respondent – Marriage Officer is bound to come to the auditorium where the marriage is to be solemnized and register the marriage as provided under Section 12 of the Special Marriage Act and Rule 8 of the Kerala Special Marriage Rules. The petitioner submits that as per law, since the petitioner has made an application for the same and paid the additional fees payable for the same, the respondent is bound to come to the place of the marriage, solemnize and register the marriage. However, in view of the paucity of time in issuing notice to the respondent and getting his views, the learned counsel for the petitioner submits that the respondent may be directed to register the marriage immediately after the marriage on 12.04.07, if they present themselves before the respondent on 12.04.07 itself. I am of opinion that this is a reasonable request in the facts and circumstances of the case.

Accordingly, I dispose of this writ petition directing the respondent to register the marriage of the petitioner on 12.04.07 itself, if the bride and bridegroom present themselves with witnesses before the respondent and complies with all the legal formalities prescribed under law.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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